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DOCKET NO. L-00000D-04-0127

## BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

SUSAN BITTER SMITH, Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE

IN THE MATTER OF THE APPLICATION  
OF ARIZONA PUBLIC SERVICE  
COMPANY IN CONFORMANCE WITH THE  
REQUIREMENTS OF ARIZONA REVISED  
STATUTES SECTION 40-0360, et seq., FOR  
A CERTIFICATE OF ENVIRONMENTAL  
COMPATIBILITY AUTHORIZING THE  
WEST VALLEY NORTH 230KV  
TRANSMISSION LINE PROJECT,  
INCLUDING THE CONSTRUCTION OF  
APPROXIMATELY 25 MILES OF 230KV  
TRANSMISSION LINES AND TWO  
SUBSTATIONS IN MARICOPA COUNTY,  
ARIZONA, ORIGINATING AT THE TS2  
SUBSTATION IN SECTION 25 TOWNSHIP 3  
NORTH, RANGE 2 WEST, G&SRB&M AND  
CONTINUING TO THE PROPOSED TS1  
SUBSTATION IN SECTION 20, TOWNSHIP  
4 NORTH, RANGE 2 WEST, G&SRB&M  
AND TERMINATING AT THE PROPOSED  
TS5 SUBSTATION IN SECTION 29,  
TOWNSHIP 4 NORTH, RANGE 4 WEST,  
G&SRB&M.

DOCKET NO. L-00000D-04-0127

CASE NO. 127

DECISION NO. 74955ORDER

Arizona Corporation Commission

DOCKETED

FEB 26 2015

DOCKETED BY

Open Meeting  
February 13, 2015  
Phoenix, Arizona

## BY THE COMMISSION:

FINDINGS OF FACT

1. Arizona Public Service Company ("APS" or "Company") is a public service corporation providing electric utility service to eleven counties in the State of Arizona.
2. On November 23, 2004, APS filed an application for a Certificate of Environmental Compatibility ("CEC") before the Arizona Power Plant and Transmission Line Siting Committee

1 (“Siting Committee”) for authorization to site a transmission line and related facilities in Maricopa  
2 County. The project was referred to as the APS West Valley—North Power Line and Substation  
3 Project. APS proposed to construct the line in an area west of the Phoenix metropolitan area.

4 3. Six additional parties intervened in the proceeding.

5 4. After a full hearing, the Siting Committee issued APS a CEC for the line and related  
6 facilities. The Siting Committee’s CEC sets forth the specific route that the line is intended to follow.

7 5. On May 5, 2005, the Commission issued Decision No. 67828, which approved the  
8 CEC issued by the Siting Committee. That decision specifically approves and adopts the Siting  
9 Committee’s description of the approved route.

10 6. The APS West Valley—North Power Line and Substation Project is necessary to  
11 accommodate load growth in the west valley.

12 7. In late 2014, as APS was engaged in constructing a portion of the line near Surprise,  
13 the Company received complaints from residents of a subdivision known as Sarah Ann Ranch. The  
14 Sarah Ann Ranch residents objected to the placement of the line near their community. Specifically,  
15 the approved route for the project traverses a green belt within the subdivision. The Sarah Ann  
16 Ranch residents asked APS to adjust the route, thereby placing the line on the south side of Cactus  
17 Road.

18 8. Although APS temporarily suspended construction due to the complaints, the  
19 Company has refused to adjust the route, and plans to resume construction. APS does not presently  
20 have either a CEC or a right-of-way for the south side of Cactus Road. APS believes that obtaining  
21 such authorizations would be a lengthy process.

22 9. The Commission has recently received numerous letters from residents of Sarah Ann  
23 Ranch. These letters complain about the approved route for the transmission line and ask for it to be  
24 moved.

25 10. On February 5, 2015, the Concerned Residents of Sarah Ann Ranch filed a formal  
26 motion with the Commission pursuant to A.R.S. § 40-252 asking the Commission to amend Decision  
27 No. 67828 to require APS to cease construction in the area of Sarah Ann Ranch and to move the  
28 route for the line to the south side of Cactus Road.

1           11.    On February 11, 2015, APS filed information about the timing of the project.  
2 According to APS, a portion of the line—including the segment that traverses Sarah Ann Ranch—  
3 must be constructed and in-service by June of 2015 in order to ensure the continuation of reliable  
4 electric service in the west valley for the ensuing summer months.

5           12.    Also on February 11, 2015, the Concerned Residents of Sarah Ann Ranch filed  
6 Supplemental Comments and a Motion to Stay.

7           13.    On February, 12, 2015, SLR (an intervener in the Line Siting proceeding and the  
8 owner of the property on the south side of Cactus Road, across from Sarah Ann Ranch) filed a letter  
9 stating that SLR is not in a position to dedicate a right-of-way for the line and has not committed to  
10 facilitate the relocation of the line to SLR's property.

11           14.    On February 13, 2015, the Commission considered the matter at an open meeting.  
12 The Commission heard presentations by attorneys from the Concerned Residents of Sarah Ann  
13 Ranch, SLR, and APS.

14           15.    After consideration of the presentations of the stakeholders and of the information  
15 filed in the docket, we decline to reopen Decision No. 67828.

16           16.    Decision No. 67828 has been in place for more than nine years. APS and others have  
17 relied on the determinations made in that decision when planning their business and other activities.

18           17.    In addition, prompt completion of this segment of the line is necessary for reliability  
19 purposes. We note that reliable electric service is an interest that extends beyond the immediate  
20 business interests of APS.

21           18.    In balancing the concerns of the Sarah Ann Ranch residents against the reliance and  
22 reliability concerns of the other stakeholders and the general public, we believe that Decision No.  
23 67828 should be accorded appropriate finality at this time.

#### 24                                   CONCLUSIONS OF LAW

25           1.    APS is a public service corporation within the meaning of Article XV, Section 2 of the  
26 Arizona Constitution.

27           2.    The Commission has jurisdiction over APS and over the subject matter of this case  
28 pursuant to Article XV of the Arizona Constitution and Title 40 of the Arizona Revised Statutes.

3. The reliance and reliability interests of the parties to Decision No. 67828, of the interested stakeholders, and of the general public support our determination to accord appropriate finality to the decision.

4. The Request to Amend Decision No. 67828, filed by the Concerned Residents of Sarah Ann Ranch, is hereby denied.

**ORDER**

IT IS THEREFORE ORDERED that the Request to Amend Decision No. 67828, filed by the Concerned Residents of Sarah Ann Ranch, is hereby denied.

IT IS FURTHER ORDERED that this order shall take effect immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

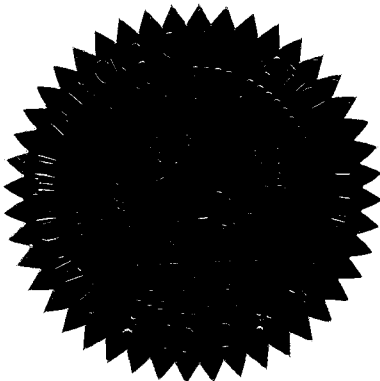
CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER



IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 25<sup>th</sup> day of February, 2015.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

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